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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

Kartika Shetty, M.D., F.A.C.P.) 2:20-cv-00909-KJD-BNW
)
Plaintiff,) STIPULATION AND REQUEST
v.) TO EXTEND DATE FOR FEDERAL
) DEFENDANTS TO FILE RESPONSE
U.S. Citizenship and Immigration Services, et al.) TO COMPLAINT (fourth request)
)
Defendants.) Current Date: January 11, 2021
) New Date: February 10, 2021

It is hereby agreed and stipulated by all parties, through their respective counsel, that the due date for the federal Defendants to file their response to Plaintiff's Complaint (*Dkt.* 1) may be extended by thirty (30) days to February 10, 2021. This is the fourth request to extend Defendants' deadline to respond to the complaint. It is requested that the Court approve this requested extension of time based on the following:

1. Plaintiff Kartika Shetty filed his complaint (*Dkt.* 1) on May 20, 2020. The complaint seeks to challenge the denial of Shetty's filed "EB-1" visa petition which sought classification of Shetty as an alien with extraordinary ability in the field of internal medicine education. *See* Complaint (*Dkt.* 1) ¶ 1.

2. By stipulated Order (*Dkt.* 18) entered on July 17, 2020, the deadline for the

1 Defendant federal agencies to respond to the complaint was extended until October 26, 2020,
2 to allow Defendant USCIS time to issue an administrative request for evidence (RFE) to obtain
3 additional information from Plaintiff relevant to his visa application.

4 3. By stipulated Order (*Dkt.* 20) entered on October 14, 2020, the deadline for the
5 Defendant federal agencies to respond to the complaint was extended until December 11, 2020,
6 based on the expectation that additional information relevant to Plaintiff's visa application would
7 be received by USCIS and to allow time for the adjudication officer to review the materials.
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9 4. By stipulated Order (*Dkt.* 22) entered on December 4, 2020, the deadline for the
10 Defendant federal agencies to respond to the complaint was extended until January 11, 2021, to
11 provide additional time for the USCIS adjudication officer to review the voluminous materials
12 submitted by Shetty and to issue a visa eligibility determination.
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14 5. The USCIS adjudication officer completed the eligibility assessment and issued a
15 decision by letter dated December 28, 2020.

16 6. The requested extension of time is requested in order to provide time for Plaintiff
17 to review the decision letter submitted by USCIS and allow the parties to confer to determine the
18 next steps or whether this matter can be resolved without further litigation or action from this
19 court.
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21 Based on the foregoing, the parties request the Court approve the stipulation and the
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1 proposed extension of time to February 10, 2021, for the filing of Defendants' response to the
2 Complaint.
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4 DATED January 8, 2021

Respectfully submitted,

6 /s/ Daniel P. Pierce

7 DANIEL P. PIERCE

8 Counsel for Plaintiff

/s/ Greg Addington

9 GREG ADDINGTON

Counsel for Federal Defendants

10 ORDER

11 IT IS SO ORDERED

12 DATED: 4:08 pm, January 11, 2021

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14 BRENDA WEKSLER

15 UNITED STATES MAGISTRATE JUDGE
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